

VILLAGE OF WARRENSBURG, ILLINOIS

ORDINANCE NO. 794

**AN ORDINANCE AMENDING CHAPTER 1305
ENTITLED "ANIMALS", BY AMENDING
§ 1305-4 "ANIMALS PROHIBITED",
§ 1305-5 "DANGEROUS ANIMALS",
§ 1305-8 "DEFINITIONS", AND
§ 1305-17 "LICENSES"**

**ADOPTED BY
THE BOARD OF TRUSTEES OF
THE VILLAGE OF WARRENSBURG**

THIS 28th DAY OF NOVEMBER, 2023

Published in pamphlet form by authority of
the Board of Trustees of
the Village of Warrensburg, Macon County, Illinois,
this 28th day of November, 2023

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ENTITLED "ANIMALS", BY AMENDING
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§ 1305-8 "DEFINITIONS", AND
§ 1305-17 "LICENSES"**

WHEREAS, the President and the Board of Trustees of the Village of Warrensburg have concluded that it is in the best interest of the welfare and safety of the residents of the Village that the Village Code be clarified with respect to the keeping, harboring, caring of, acting as custodian of or maintaining possession of, and owning certain animals within the Village limits.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF WARRENSBURG, ILLINOIS, as follows:

Section 1:

THAT existing §1305-4, entitled "Animals prohibited", be deleted in its entirety, and the following new § 1305-4, entitled "Animals prohibited" be inserted in its place, to read as follows:

§ 1305-4 Animals prohibited.

A. Definitions:

"Dangerous Animal" means any primate, raccoon, skunk, fox, poisonous or life threatening snake or reptile, bobcat, leopard, panther, tiger, lion, lynx, serval cat, wolf, jaguarundi, hyena, savannah cat, hybrid cat, hybrid dog, coyote, ocelot, jaguar, chetah, margay, mountain lion, bear, or any other animal or reptile which can normally be found in the wild state.

"Owner" means any person who (1) has a right of property in a dangerous animal or primate, (2) keeps or harbors a dangerous animal or primate, (3) has a dangerous animal or primate in his or her care, or (4) acts as custodian of a dangerous animal or primate.

“Person” means any individual, firm, association, partnership, corporation, or other legal entity, any public or private institution, the State, or any other municipal corporation or political subdivision of the State.

“Primate” means a nonhuman member of the order primate, including but not limited to chimpanzee, gorilla, orangutan, bonobo, gibbon, monkey, lemur, loris, aye-aye, and tarsier.

B. No person shall have a right of property in, keep, harbor, care for, act as custodian of or maintain in his or her possession any dangerous animal or primate except at a properly maintained zoological park, federally licensed exhibit, circus, college or university, scientific institution, research laboratory, veterinary hospital, hound running area, or animal refuge in an escape-proof enclosure.

C. No person shall have a right of property in, keep, harbor, care for, act as custodian of or maintain in his or her possession any cattle, sheep, goats, swine, horses, ponies or mules at any place upon any premises within the Village except temporarily in stockyards for sale or shipment and except temporarily in packing plants for slaughter.

D. This Section does not prohibit a person who has a permanent disability with a severe mobility impairment from possessing a single capuchin monkey to assist the person in performing daily tasks if:

1. the capuchin monkey was obtained from and trained at a licensed nonprofit organization described in Section 501 (c) (3) of the Internal Revenue Code of 1986, the nonprofit tax status of which was obtained on the basis of a mission to improve the quality of life of severely mobility-impaired individuals; and

2. the person complies with the notification requirements as described in 720 ILCS 48/10(c)(2).

E. The President and members of the Board of Trustees or any other person in the Village are authorized to kill any dangerous animal of any kind when it is necessary for the protection of any person or property.

Section 2:

THAT existing § 1305-5, entitled “Dangerous Animals”, be deleted in its entirety, and a new § 1305-5, entitled “Exhibitions or parades” be inserted in its place, to read as follows:

§ 1305-5 Exhibitions or parades.

Exhibitions or parades of animals which are *ferae naturae* in the eyes of the law may be conducted only upon securing a permit from the Board of Trustees.

Section 3:

THAT existing § 1305-8, entitled “Definitions”, be amended by deleting the current definition of the term “DOG” and inserting in its place the new definition to read as follows:

DOG

Whenever used in this Article, except where specifically distinguished, shall include all members of the canine family three months or more of age.

Section 4:

THAT existing § 1304-17 **Licenses**. be amended by adding a new sentence to paragraph A. so that paragraph A. shall read as follows:

A. Licenses required. It shall be unlawful for any person to have a right-of-property in, keep, harbor, care for, act as custodian of or maintain in his or her possession in a dog or cat without first having therefor, a license to do so and to annually vaccinate the cat or dog within thirty days following the previous year’s vaccination date.

Section 5:

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 6:

THAT this Ordinance, after passage and approval, shall be published in pamphlet form and shall be in full force and effect on November 28, 2023, after such publication, in the manner, form and time as provided by the laws of the State of Illinois.

TRUSTEES:

Douglas Fisher	Aye - <u>X</u>	Nay - _____	Absent - _____	Abstain - _____
Shaquill Freeman	Aye - <u>X</u>	Nay - _____	Absent - _____	Abstain - _____
Leland Hackl	Aye - <u>X</u>	Nay - _____	Absent - _____	Abstain - _____
Kerry Hood	Aye - <u>X</u>	Nay - _____	Absent - _____	Abstain - _____
Pamela Hood	Aye - <u>X</u>	Nay - _____	Absent - _____	Abstain - _____
Brian Netherton	Aye - <u>X</u>	Nay - _____	Absent - _____	Abstain - _____

PRESENTED, PASSED and APPROVED this 28th day of November, 2023.

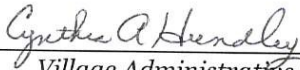
RECORDED THIS 28th day of November, 2023.

Approved:



*Acting President of the Board of Trustees of the
Village of Warrensburg, Illinois*

ATTEST:



*Village Administrative Clerk of the
Village of Warrensburg, Illinois*

STATE OF ILLINOIS }
COUNTY OF MACON } ss

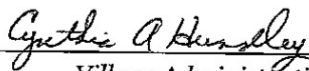
CERTIFICATE

I, CYNTHIA A. HUNDLEY, certify that I am the duly appointed Village Administrative Clerk of the Village of Warrensburg, Macon County, Illinois.

I further certify that on the 28th day of November, 2023, the President and Board of Trustees of the Village of Warrensburg passed and approved Ordinance No. 794, entitled "An Ordinance Amending Chapter 1305 Entitled "Animals", by Amending § 1305-4 "Animals Prohibited", § 1305-5 "Dangerous Animals", § 1305-8 "Definitions", and § 1305-17 "Licenses", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 794, including Ordinance and cover sheet thereof was prepared, a copy of such Ordinance was posted in the Warrensburg Village Hall and the Village of Warrensburg Public Library, commencing November 29, 2023, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Administrative Clerk.

DATED at Warrensburg, Illinois this 29th day of November, 2023.



Village Administrative Clerk of the
Village of Warrensburg, Illinois